

## **EXHIBIT C**

**Applicant's Response to a Non-Final Office Action dated  
May 12, 2011 in the U.S. Patent Application  
No. 11/949,975**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Houston Staton, et al. Examiner: Tai T. Nguyen  
Serial No. 11/949,975 Group Art Unit: 2612  
Filed: December 4, 2007 Docket No. 081221-010304  
Customer No.: 33717 Confirmation No.: 5720  
Title: METHOD AND SYSTEM TO CONTROL MOBILE ENTITIES

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this document is being transmitted electronically to the United States Patent and Trademark Office via the EFS Web e-Filing system on May 12, 2011.

Name: Rosemary D. Payton

**AMENDMENT**

MAIL STOP: AMENDMENT  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

Sir/Madam:

In response to the Non-Final Office Action mailed February 25, 2011, kindly enter the following amendments:

**Amendments to the Specification** begin on page 2.

**Amendments to the Claims** begin on page 3.

**Remarks/Argument** begin on page 12.

**Terminal Disclaimer** follows page 13.

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**AMENDMENTS TO THE SPECIFICATION**

[0001] This application is a divisional of U.S. Patent Application No. 11/105,932, filed April 13, 2005, which claims the benefit of the prior filing date of U.S. provisional patent application number 60/625,467, filed November 5, 2004, both of which are incorporated by reference in their entireties. This application is related to U.S. Patent Application No. 11/105,931, filed on April 13, 2005 issued as Patent No 7,286,929, and U.S. Patent Application No. 11/105,621, filed on April 13, 2005, issued as Patent No 7,564,348, both of which are incorporated by reference in their entireties.

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**AMENDMENTS TO THE CLAIMS**

**Claim 1 (currently amended):** A method to wirelessly control manage an entity having an attached a transponder, comprising:

loading from a computing device to the a transponder's memory a plurality of coordinates;

programming a microprocessor in the transponder to define a geographical zone by creating an enclosed area on a pixilated image using said plurality of coordinates, wherein said enclosed area is representative of a geographical zone; and

~~programming the microprocessor in sending a command to~~ the transponder to execute a configurable operation upon receiving a command from a control center, the command being associated with the a status of the entity in relation to the geographical zone.

**Claim 2 (previously presented):** The method of claim 1, further comprising transmitting the command from the control center to the transponder.

**Claim 3 (previously presented):** The method of claim 1, wherein the status of the entity is based upon movement of the entity.

**Claim 4 (previously presented):** The method of claim 1, wherein the status of the entity is based upon position of the entity.

**Claim 5 (previously presented):** The method of claim 1, wherein the status of the entity is based upon non-movement of the entity.

**Claim 6 (currently amended):** The method of claim 1, wherein said geographical zone represented in the pixilated image is formed by assigning each coordinate to a pixel and configuring the a distance between each assigned pixel.

**Claim 7 (previously presented):** The method of claim 1, wherein said enclosed area is created by connecting a plurality of assigned pixels by lines, wherein a series of contiguous and

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connected lines enclose an area in the pixilated image and wherein said pixels that lie on the lines are turned on in order to form a contiguous array of pixels that enclose a shape in the pixilated image.

**Claim 8 (previously presented):** The method of claim 1, wherein the entity is a vehicle, a vessel, a craft, a boat, a helicopter, or a plane.

**Claim 9 (cancel)**

**Claim 10 (currently amended):** The method of claim 1, wherein the command is a request for a time and a corresponding location of the an occurrence of a previous event.

**Claim 11 (previously presented):** The method of claim 1, wherein the command is a request for a speed and direction of the entity.

**Claim 12 (previously presented):** The method of claim 1, wherein the command is a request for a state of any assigned inputs or outputs.

**Claims 13 - 16 (cancel)**

**Claim 17 (previously presented):** The method of claim 1, wherein the transponder is wirelessly configurable using a wireless communications network.

**Claim 18 (previously presented):** The method of claim 1, further comprising communicating at least one event message from the transponder to a central computer using a communications network, the at least one event message including data representative of the occurrence of the event.

**Claim 19 (previously presented):** The method of claim 18, wherein the communications network is a cellular communications network, satellite communications network, short range radio or a short message service network.

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**Claim 20 (previously presented):** The method of claim 18, wherein the command comprises a request to switch communication from a first communications network to a second communications network.

**Claim 21 (currently amended):** A method to wirelessly control an entity having ~~an attached a~~ transponder, comprising:

defining a geographical zone using a plurality of waypoints, wherein each waypoint is defined by a geographical coordinate and a radius originating from the geographical coordinate;

loading from a computing device to ~~the a~~ transponder's memory a plurality of waypoints; and

~~programming the microprocessor in sending a command to the transponder to execute a configurable operation upon receiving a command from a control center, the command being associated with the a status of the entity in relation to the geographical zone.~~

**Claim 22 (previously presented):** The method of claim 21, further comprising transmitting the command from the control center to the transponder.

**Claim 23 (previously presented):** The method of claim 21, wherein the status of the entity is based upon movement of the entity.

**Claim 24 (previously presented):** The method of claim 21, wherein the status of the entity is based upon position of the entity.

**Claim 25 (previously presented):** The method of claim 21, wherein the status of the entity is based upon non-movement of the entity.

**Claim 26 (previously presented):** The method of claim 21, wherein the geographical coordinate is represented by a latitude and longitude, and the radius is represented by a distance magnitude.

**Claim 27 (previously presented):** The method of claim 26, wherein the transponder can determine whether the transponder is inside or outside the geographical zone by obtaining global

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positioning coordinates, and calculating whether or not the global positioning coordinates are inside at least one waypoint of the plurality of waypoints.

**Claim 28 (currently amended):** The method of claim 26, wherein ~~the~~ a shape of the geographical area is a street route.

**Claim 29 (currently amended):** The method of claim 26, wherein a shape of the geographical area is ~~the shape of~~ a non-geometrical shape.

**Claim 30 (previously presented):** The method of claim 26, wherein the waypoints in the plurality of waypoints have the same coordinate but different radii, such that all the waypoints in the plurality of waypoints are concentric.

**Claim 31 (currently amended):** The method of claim 21, wherein the entity is a vehicle, a vessel, a craft, a boat, a helicopter, or a plane or a person.

### **Claim 32 (cancel)**

**Claim 33 (currently amended):** The method of claim 21, wherein the command is a request for a time and a corresponding location of ~~the~~ a occurrence of a previous event.

**Claim 34 (previously presented):** The method of claim 21, wherein the command is a request for a speed and direction of the entity.

**Claim 35 (previously presented):** The method of claim 21, wherein the command is a request for a state of any assigned inputs or outputs.

### **Claims 36 - 37 (cancel)**

**Claim 38 (previously presented):** The method of claim 21, further comprising electrically connecting the microprocessor to at least one electrical input associated to the entity.

### **Claim 39 (cancel)**

**Claim 40 (previously presented):** The method of claim 21, wherein the transponder is configurable wirelessly using a wireless communications network.

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**Claim 41 (previously presented):** The method of claim 21, further comprising communicating at least one event message from the transponder to a central computer using a communications network, the at least one event message including data representative of the occurrence of the event.

**Claim 42 (previously presented):** The method of claim 41, wherein the communications network is a cellular communications network, satellite communications network, short range radio, wireless network or a short message service network.

**Claim 43 (previously presented):** The method of claim 41, wherein the command comprises a request to switch communication from a first communications network to a second communications network.

**Claim 44 (currently amended):** A method to wirelessly ~~control~~ communicate with an entity having ~~an attached~~ transponder, comprising:

using a computing device to identify a geometrical area using at least two coordinate attributes, wherein said geometrical area is divided into a grid having at least one section;

defining a geographical zone by selecting within the grid one or more of the at least one section representative of a desired area and correlating the at least one section to a pixilated computer image by associating the at least one section with a pixel;

loading said pixilated computer image into ~~the~~ a transponder's memory; and

programming a microprocessor in the transponder to execute a configurable operation upon receiving a command from a control center, the command being associated with ~~the~~ a status of the entity in relation to the geographical zone.

**Claim 45 (cancel)**

**Claim 46 (previously presented):** The method of claim 44, wherein the status of the entity is based upon movement of the entity.

**Claim 47 (previously presented):** The method of claim 44, wherein the status of the entity is based upon position of the entity.

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**Claim 48 (previously presented):** The method of claim 44, wherein the status of the entity is based upon non-movement of the entity.

**Claim 49 (currently amended):** The method of claim 44, wherein the entity is a vehicle, a vessel, a craft, a boat, a helicopter, or a plane or a person.

**Claim 50 (cancel)**

**Claim 51 (currently amended):** The method of claim 44, wherein the command is a request for a time and a corresponding location of the an occurrence of a previous event.

**Claim 52 (cancel)**

**Claim 53 (previously presented):** The method of claim 44, wherein the command is a request for a state of any assigned inputs or outputs.

**Claims 54 - 55 (cancel)**

**Claim 56 (previously presented):** The method of claim 44, further comprising electrically connecting the microprocessor to at least one electrical input associated to the entity.

**Claim 57 (cancel)**

**Claim 58 (previously presented):** The method of claim 44, wherein said geometrical area is rectangular and is divided into a plurality of rectangles.

**Claim 59 (previously presented):** The method of claim 44, wherein said geometrical area is circular and is divided into a plurality of sections.

**Claim 60 (previously presented):** The method of claim 44, wherein the transponder is configurable wirelessly using a wireless communications network.

**Claim 61 (previously presented):** The method of claim 44, further comprising communicating at least one event message from the transponder to a central computer using a communications

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network, the at least one event message including data representative of the occurrence of the event.

**Claim 62 (currently amended):** The method of claim 61, wherein the communications network is a cellular communications network, satellite communications network, short range radio, wireless network or a short message service network.

**Claim 63 (previously presented):** The method of claim 61, wherein the command comprises a request to switch communication from a first communications network to a second communications network.

**Claims 64 - 72 (cancel)**

**Claim 73 (new):** A method to wirelessly communicate with an entity having a transponder, comprising:

loading from a computing device to the transponder's memory a plurality of coordinates;  
programming a microprocessor in the transponder to define a geographical zone by creating an area using said plurality of coordinates, wherein said area is representative of a geographical zone; and

sending a command to the transponder to execute a configurable operation upon receiving a command from a control center, the command being associated with the location of the entity in relation to the geographical zone.

**Claim 74 (new):** The method of claim 73, wherein the communication with the entity is based upon movement of the entity.

**Claim 75 (new):** The method of claim 73, wherein the communication with the entity is based upon position of the entity.

**Claim 76 (new):** The method of claim 73, wherein the communication with the entity is based upon non-movement of the entity.

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**Claim 77 (new):** The method of claim 73, wherein the transponder is wirelessly configurable using a wireless communications network.

**Claim 78 (new):** The method of claim 73, further comprising communicating at least one event message from the transponder to a central computer using a communications network, the at least one event message including data representative of the occurrence of the event.

**Claim 79 (new):** The method of claim 78, wherein the communications network is a cellular communications network, satellite communications network, short range radio, wireless network or a short message service network.

**Claim 80 (new):** The method of claim 78, wherein the command comprises a request to switch communication from a first communications network to a second communications network.

**Claim 81 (new):** The method of claim 73, further comprising allowing a user to define more than one geographical zone.

**Claim 82 (new):** The method of claim 73 wherein the geographical zone is associated with a moving location that is related associated to the transponder.

**Claim 83 (new):** The method of claim 73, further comprising taking an action based on an interaction of an entity with the geographical zone.

**Claim 84 (new):** The method of claim 83, wherein the action is sending an alert when a portable electronic device crosses the geographical zone.

**Claim 85 (new):** The method of claim 73 wherein a the service is offered to the user when within the geographical zone, the service being an availability of an event.

**Claim 86 (new):** The method of claim 73 wherein the geographical zone has a user-defined shape other than circular or spherical, and selectively a closed polygonal shape.

**Claim 87 (new):** A method of claim 73 wherein the transponder is an electronic portable device, the device being provided with a GPS receiver and includes the ability to communicate

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wirelessly, and by short radio range, selectively by Bluetooth protocol to effect location information.

**Claim 88 (new):** A method according claim 73 wherein the transponder is an electronic portable device is a cell phone, PDA or navigation system in an automobile.

**Claim 89 (new):** A method according claim 73 including having the transponder be enabled to define a geographical zone is based on a 3-D location, and selectively for different locations in 3-D there are different geographical zones.

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**REMARKS**

The Office Action issued by the Examiner has been carefully considered.

Amendments have been made to the claims to overcome the objections and rejections under 35 USC 112 §2.

Claims 1, 6, 10, 21, 28, 31, 33, 42, 44, 49, 51 and 62 have been amended to better define the invention for which protection is sought.

Claims 9, 13-16, 32, 36-37, 39, 45, 50, 52, 54-55, 57 and 64-72 have been cancelled.

New claims 73-89 have been added.

The claims, as amended, overcome the rejections of 35 USC 103. The new independent claim 73 is modeled after claim 1, and includes a transponder and the creation of a geographical area and programming the microprocessor in the transponder to execute a configurable operation upon receiving a command from a control center, the command being associated with the location of the entity in relation to the geographical zone.

None of the art teaches, discloses or suggests these features, whether the art is considered on its own or in any combination of the art.

A Terminal Disclaimer with regard to US Patent 7,323,982 is attached.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited.

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The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 081221-010304 is referred to when charging any payments or credits for this case.

Respectfully submitted,

  
\_\_\_\_\_  
Charles Berman  
Reg. No. 29,249

GREENBERG TRAURIG, LLP  
2450 Colorado Avenue, Suite 400E  
Santa Monica, CA 90404  
Phone: (310) 586-7700  
Fax: (310) 586-7800  
E-mail: laipmail@gtlaw.com  
*LA 129405219v1*

PTO/SB/26 (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

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081221-010304

In re Application of: Houston Staton et al.

Application No.: 11/949,975

Filed: December 4, 2007

For: METHOD AND SYSTEM TO CONTROL MOBILE ENTITIES

The owner\*, WIRELESSWERX INTERNATIONAL, INC., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 7,323,982 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

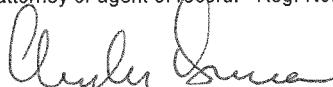
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2.  The undersigned is an attorney or agent of record. Reg. No. 29,249



Signature

May 12, 2011

Date

Charles Berman  
Typed or printed name

(310) 586-7770  
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Terminal disclaimer fee under 37 CFR 1.20(d) included.

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